

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53950 of 2021

Arising Out of PS. Case No.-110 Year-2021 Thana- GOVINDPUR District- Nawada

Chand Mian @ Chanchal @ Md. Gulzar @ Gulzar, Son of Md. Nejamuddin
Resident of Village- Baksoti, P.S.- Gobindpur, District- Nawada.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arun Kumar Arun, Adv.

For the Opposite Party/s : Mr.Rina Sinha, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 11-04-2022 Heard counsel for the parties.

The petitioner is in judicial custody in connection with Govindpur P.S. Case No.110 of 2021 instituted under Sections 25(a)(1a)(1aa)(1b)ab/26(1)(2)/35 of the Arms Act.

As per the prosecution case, the police patrol party on confidential information chased and apprehended two accused persons one of whom was the petitioner herein and on search from his person, it is alleged four live cartridges were recovered beside a mobile and a SIM. The car that was standing there was also searched and another cache of arms was recovered from it.

The counsel for the petitioner submits that he had almost no connection with the alleged car in question and he has been falsely implicated in the seizure of that car also. He restricts the seizure of the four cartridges that was recovered from his person and further submits that he is in judicial custody



since 19.05.2021 as is evident from the order of the learned court below.

In the particular facts and further that the charge sheet has already been submitted, it will be proper that the petitioner be released on bail subject to imposition of strict conditions taking into account para-3 of the bail application according to which he is accused in almost one dozen criminal cases of the same nature. Let the petitioner be released on bail on furnishing bail bond of Rs.10,000/-(ten thousand) with two sureties of the like amount each in connection with Govindpur P.S. Case No.110 of 2021 to the satisfaction of learned Judicial Magistrate, Ist Class, Nawada subject to following conditions:

(i) one of the bailor should be the family member of the petitioner, who shall provide official document to show his/her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial court and failure to do so for two consecutive dates without plausible reasons will entail his cancellation of bail by the Trial court itself;

(iii) the petitioner shall appear before the concerned police station every fortnight for next six months to mark his presence;



(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidence, failing which the State shall be at liberty to take steps for cancellation of his bail bonds;

(v) the petitioner shall desist from committing any criminal offence again, failing which the State shall take steps for cancellation of his bail bonds.

The bail application is allowed with aforesaid observation.

(Rajiv Roy, J)

Prakash Narayan /-

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